

REMARKS

Claims 2-5, 7-9 and 13-18 are pending in this application. All of the pending claims are rejected. None of the claims are currently amended. Reconsideration and further examination are requested.

Claims 2, 3, 13 and 18 are rejected under 35 U.S.C. 103(a) based on US 7,260,392 (Kitchin) in view of US 6,839,327 (Zavalkovsky). The Office now concedes that Kitchin fails to describe different size anti-replay windows for different service levels. However, the Office now asserts that the feature is shown by buffer factor field 226 in figure 2 of Zavalkovsky. The buffer factor field is described at column 8, lines 50 through 60 as follows:

The value of Buffer Factor field 226 defines a percentage of the buffer resources that are allocated for the behavior aggregate. This is an alternative representation of the Reserved Packets field 224. It allows the network administrator to manage its buffer resources without knowledge of the particular queue lengths. In order to translate the buffer factor field into an Actual Reserved Packet field, a global parameter specifying the total buffer space should be used. The sum of buffer factors assigned to the forwarding classes is 100%. *Within each forwarding class, the buffer factor specifies the relative drop precedence of the PHBs.* (emphasis added)

Unlike the buffer factor field 226, the anti-replay windows recited in the claims (1) do not specify packet drop precedence, (2) do not specify a percentage, and (3) do not add up to 100%. The Office appears to overlook the point of applicant's argument by focusing on the fact that both the recited invention and Zavalkovsky help to manage resource usage. Although use and management of resources in many different ways are known, applicant does not claim to have invented resource management in general, or even buffer allocation, sliding windows or other specific tools that can be used to implement resource management. As argued in the previous response, the use of different size anti-replay look back windows for different service levels is the feature that provides an advantage over the prior art. Further, the combination of Kitchin and

Zavalkovsky fails to produce that feature because packet drop precedence is not related to anti-replay look back window size. More particularly, drop precedence determines which packets are dropped in the event of congestion, whereas the anti-replay look back window size determines how many previous packets are compared with a current packet to test for repeated sequence numbers. Consequently, combining the buffer factor field 226 of Zavalkovsky would not alter any anti-replay feature of Kitchin. Withdrawal of the rejections of claims 2, 3, 13 and 18 is therefore requested.

Claims 4-5, 7-9 and 14-17 are dependent claims which further distinguish the invention, and which are allowable for the same reasons as their respective base claims. If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious. *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988). Withdrawal of the rejections of claims 4-5, 7-9 and 14-17 is therefore also requested.

This application is now considered to be in condition for allowance and such action is earnestly solicited. Should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone Applicants' Attorney at the number listed below so that such issues may be resolved as expeditiously as possible.

Respectfully Submitted,

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Date

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